

REMARKS

Claims 2, 6, 10, 12-15, 18, 20 and 21 are pending. Claims 13, 15, 20 and 21 are amended. Claims 6 and 14 were indicated to define allowable subject matter. The previously entered final rejection was withdrawn based on new grounds of rejection.

Explanation of Amendments

Independent claim 13 has been amended to more clearly define the invention and the relation of the various elements. Support for all of the clarifying entries is found in the specification and in particular that corresponding to Figs. 6 and 7. In particular, the claim has been amended to limit the presence of the brazing filler metal to the interior portions of the tube surrounding the stopper. This clearly distinguishes the process from those prior art disclosures in which the brazing metal is filling gaps that are visible from the exterior of the junction between the two metal parts. In addition to providing a far superior aesthetic appearance to the finished brazed joint, the Applicant's process provides a clean finished joint requiring no further polishing, buffing or other treatment to remove excess brazing metal that may have been exuded during heating. This and other differences which distinguish the claims from the prior art most recently relied upon will be discussed in further detail below.

Independent claims 20 and 21 have been amended to correct errors in identifying the numerical element numbers associated with the respective tube (3) and the tubular metal part (1). Reference is made to Figs. 2, 3 and 4 which clearly identify the parts by element number.

Claims 20 and 21 have also been amended to clarify that the tube (3) is inserted into a hole in the wall portion (not an open end) of the tubular metal part (1) in close-fitting relation and that the brazing filler metal is contained entirely within the internal cavity of tubular metal part (1) at the time of the heating. As will be apparent to one of ordinary skill in the art, the process as now clarified by amended claims 20 and 21 will again provide a superior aesthetic appearance by minimizing, if not entirely eliminating, the opportunity for the molten brazing metal to escape to the external surface to either one of the joined members.

The Amended Claims are Clearly Distinguishable From the Disclosures of the Prior Art

With reference to the Japanese patent document of Asano, it is not at all apparent whether a filler material is placed inside the tubular manifold prior to melting. However, it is clear from the figures of the Japanese reference that an external edge is present on ring member (3) only on the external side that is placed around outside element (1). Therefore, it is equally clear that this space cannot support the filler material inside the tubular manifold as is required by all of Applicant's independent claims. Conversely, a particular advantage of the process of presently amended claim 13 is that the stopper has a seat or "housing" capable of receiving and retaining the filler metal and, at the same time, the filler metal must be placed **inside** of the tubular manifold before it is melted. The benefits of this claim limitation have been discussed above and clearly distinguish the present process from the prior art.

With reference to Heinrich, the process described refers to a cap that is introduced into the open extremity of a tube (1). The two elements are co-axial and no alignment problem arises. Thus, one of ordinary skill in the art would not have regarded Heinrich as a starting point for solving the problem of joining the intersecting tubes (not co-axial members) of a towel rack to the manifold, as is resolved by the present invention of claims 20 and 21.

It will also be understood that Schmunk describes a joint between the extremities of a tubular part, where fluid tightness relies upon elastomeric rings, mechanically compressed by a sleeve. The reason for forming the elastic material in the shape of a ring is to provide a fluid-tight seal without any melting and without the opportunity for fluid to migrate by capillary action to fill interstitial spaces. Thus, this disclosure does not provide any suggestion, teaching or motivation or how to place a filler metal prior to its melting to form a brazed joint. We respectfully submit that the combination of these references is based solely on impermissible hindsight and the teaching of Applicant's disclosure.

It is also to be noted that the tubular parts of the Schmunk disclosure are coaxial and the same considerations discussed above with respect to the Heinrich disclosures apply. Favorable reconsideration of the amended claims is therefore respectfully requested.

Petition for Extension of Time

Applicant respectfully requests that a three-month extension of time be granted for responding to the Office Action, i.e., from March 12, 2008 to June 12, 2008. A check for payment of the fee is attached.

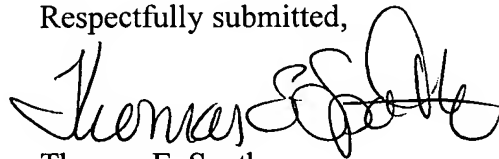
In case of any deficiencies in fees occasioned by the filing of the present Amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Conclusion

The claims have been amended to overcome all of the objections raised in the outstanding Office Action and all remaining claims are believed to be in allowable form.

Applicant submits that the case is now in condition for allowance and prompt action to that end is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas E. Spath", written over a horizontal line.

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